IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

SUMMARY SUIT NO.197 OF 2005

Nutech Sintered Products Pvt.Ltd. ...Plaintiff.
Versus
Power Control and Appliances Anr. ...Defendants.

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Mr.Ramnik M. Parekh for the Plaintiff.
None for the Defendants.

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CORAM : DR. D.Y. CHANDRACHUD, J.

March 26, 2007.

P.C.:

The suit has been instituted for the recovery of an amount due and outstanding under an agreement at Exh.B to the Plaint and on the basis of a confirmation of liability dated 8th January 2003, Exh.L to the Plaint. The suit was instituted on 9th December 2004. An affidavit of service has been filed. The Defendants have not entered appearance. In the circumstances, since the suit falls within the purview of the provisions of Order 37 of the Code of Civil Procedure, 1908, the Plaintiff shall be entitled to a decree in terms thereof. A compilation of the original documents has been tendered and is taken on record. The Defendants have confirmed and acknowledged their liability by a letter dated 8th January 2003. The suit shall accordingly stand

decreed as prayed with the modification that the Plaintiff will be entitled to interest at the rate of 9% per annum from the date of the suit until payment or realisation.

Refund of Court fee, if any, as per rules.

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